THE HON'BLE SRI JUSTICE A.GOPAL REDDY

W.P.NO.7965 OF 2006

ORDER:

The fourth petitioner who filed a suit in O.S.No.12 of 2006 on the file of the Junior Civil Judge, Asifabad obtained temporary injunction against the respondents 3 and 4 initially for a period of two weeks, which was extended from time to time till 3.4.2006. Since the Presiding Officer of that Court went on leave, the order of injunction could not be extended.

The present writ petition is filed seeking a writ of mandamus declaring the action of the first respondent in interfering with the land in dispute, while the matter is pending adjudication in Civil Court, by impleading first and second respondents on the premise that they are likely to deliver possession to the respondents 3 and 4.

Once the matter is ceased by the Civil Court, the respondents have nothing to do with the possession, which is to be decided by the Civil Court only. The motto of filing the present writ petition appears to be that the petitioner could not obtain the extension of the injunction order. There are no merits in the writ petition and the same is liable to be dismissed.

This writ petition is accordingly dismissed. However, it is made clear that the respondents 1 and 2 cannot interfere with the Civil dispute. No costs

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24-04-2006

kvrm